

DC-00-1061

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

STATE OF ALABAMA)

V.)

ROY DAVID HEATH)

STATE OF ALABAMA

In the Circuit Court
of Russell County

Before me, George Greene, the undersigned authority personally appeared
Agent Tom Franklin who being by me first duly sworn, deposes, and says:

On Friday 04/28/00 Agent Franklin met with a confidential informant who stated that they had arranged to purchase a quantity of marijuana from a white male named David Heath. The informant stated that Heath lived at 915 13th Avenue in Phenix City. Heath's full name was determined to be Roy David Heath.

On Friday 04/28/00 Agent Kenneth Herring searched the informant and fitted the informant with a electronic monitoring device. Agent Evans then drove the informant to 915 13th Avenue. Agent Evans waited in the vehicle and watched the informant go into 915 13th Avenue. Once inside the residence the informant met with Heath. During the conversation between the informant and Heath, Heath handed the informant a clear plastic bag containing marijuana in return for the metro funds. The informant then left the residence and again met with Agent Evans who was inside the undercover vehicle. The informant turned the marijuana over to Agent Evans. There was a recording made of the transaction and a taped statement given to agents by the informant.

Based on the above listed facts and circumstances, the affiant believes that there is probable cause to issue a search of the listed premises, persons, and vehicles.

Sworn and Subscribed before me this
the 1st day of May, 2000.

Tom Franklin
Affiant

J. B. [Signature]
Judge

FILED IN OFFICE
2000 MAY -5 PM 3:56
CIRCUIT / DIST. COURT
RUSSELL CO., AL.

~~EXHIBIT (5)~~

EXHIBIT (6)